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TEL:+886-2-8923-7350 FAX:+886-2-2929-5950 e-mail:winstonhsu@naipo.com.tw

**FAX TO: Luu, Matthew
ART UNIT: 2672**

**Tel: (703) 305-4850
Fax: (703) 872-9315**

FROM: Winston Hsu, PATENT AGENT, REG. NO. : 41,526

SERIAL NO.: 09/683,729

ATTORNEY DOCKET NO.: CEIP0037USA

**SUBJECT: Reply Brief in response to the Examiner's
Answer mailed 02/24/2004**

TOTAL PAGES: 8 PAGES (INCLUDING COVER PAGE)

Winston Hsu 2004/04/23

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PTO/MSB-97 (08-00)
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APPLICATION NUMBER: 09/683,729

PAPERS INCLUDED:

(1) Transmittal Form	1 PAGE
(2) Fee Transmittal	1 PAGE
(3) Reply Brief	4 PAGES

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Winston Hsu, Reg. No.: 41,526
Signature	<i>Winston Hsu</i>
Date	4/23/2004

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FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 0.00)

Complete if Known

Application Number	09/683,729
Filing Date	02/07/2002
First Named Inventor	Wen-Sung Tsai
Examiner Name	Luu, Matthew
Art Unit	2672
Attorney Docket No.	CEIP0037USA

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FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code (\$)	Fee (\$)	Fee Description	Fee Paid
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1) (\$ 0.00)					

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid
			-20**	=	
			-3**	=	

Large Entity	Small Entity	Fee Code (\$)	Fee (\$)	Fee Description	Fee Paid
1202	18	2202	9	Claims in excess of 20	
1201	86	2201	43	Independent claims in excess of 3	
1203	290	2203	145	Multiple dependent claim, if not paid	
1204	86	2204	43	** Reissue independent claims over original patent	
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2) (\$ 0.00)					

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Code (\$)	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	65	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	65	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2602	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	
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SUBMITTED BY		(Complete if applicable)		
Name (Print/Type)	Winston Hsu	Registration No. (Attorney/Agent)	41,526	Telephone 886289237350
Signature	<i>Winston Hsu</i>	Date	4/23/2004	

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PATENT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****RECEIVED
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5 Applicant: Wen-Sung Tsai Examiner: Luu, Matthew
 Filing Date: 02/07/2002 Art Unit: 2672
 Serial No.: 09/683,729 Docket No.: CEIP0037USA

APR 23 2004

OFFICIAL

10 Title: Display Device Capable of Dynamically Compensating Effect of
 Environmental Light

15 To: Commissioner for Patents
 P.O. BOX 1450
 Alexandria, VA 22313-1450

15 Subject: Reply Brief

REPLY BRIEF

20 This is a Reply Brief in accordance with 37 C.F.R. 1.193 in response to the
 Examiner's Answer mailed 02/24/2004.

Remarks

25 Re: Arguments Against the References Individually

30 The appellant understands that the rejection being appealed is an obviousness type rejection. However, regardless of whether the previously filed arguments made concerning Issue 1 are actually deemed to attack the references individually, the appellant maintains that attacking references individually is a way of showing that the references are incompatible or are from well-removed arts.

Re: Meaning of Limitation of "a plurality of sensors for detecting different colors of ambient light"

5 The appellant understands the examiner's interpretation of the limitation characterized as "*broad*", and specifically, the examiner's interpretation of the word "different". However, the appellant argues that such interpretation renders the word "different" meaningless.

10 Light sensors, photodiodes, and like devices are commonly sensitive to a range of wavelengths peaking about a listed wavelength (color). Naturally, color and wavelength are continuous, and the appellant is unaware of any sensor that can measure a *single* discrete wavelength. Any device, no matter how discriminating, would be subject to tolerances, yielding a range of wavelengths no matter how small. And so, in accordance with the examiner's interpretation of "different", a single 15 device can indeed be said to measure different colors of light. Yet, since light sensors are inherently sensitive to a range of wavelengths, interpreting "different" in this way is not meaningful.

20 The appellant argues that any meaningful interpretation of the word "different" causes the recited limitation of "a plurality of sensors for detecting different colors of ambient light" to read as *a plurality of sensors each for detecting a different color of ambient light or a plurality of sensors each for detecting a different color range of ambient light*.

25 Re: Reasons for Combining the Hirose Reference with the Hanson Reference

30 The examiner has chosen to interpret Hirose et al. in US 5,032,828 ("Hirose") as teaching two sensors 16a and 16b by stating "Hirose discloses (Figs.2-4) a plurality of different colors light sensors (16a and 16b)" (page 4, Examiner's Answer). However, the appellant disagrees with such a selective interpretation and argues that Hirose effectively teaches one sensor made up of two mutually dependent sub-sensors because

1) the sensors 16a and 16b are in very close proximity (photodiode 16 of Fig.1 and the circuit diagram of Fig.2 suggest a proximity smaller than the order of millimeters), and

5

2) significant signal processing by the CRT drive circuit 18 (controller) only occurs after the outputs of the sensors 16a and 16b have been merged into one signal by the color hue controlling circuit 17.

10 For these reasons, the appellant argues that the sensors 16a and 16b are a single sensor device sensitive to a color of light or color hue (see col. 3 lines 21-23) set by the color hue controlling circuit 17.

15 In contrast, the appealed claim 6 recites *a plurality of sensors and their plurality of detecting signals* on which the controller acts. That is, each sensor outputs a detecting signal to the controller which adjusts color levels of the picture image displayed on the screen according to these detecting signals. Hirose's controller (CRT drive circuit 18) does not act on a plurality of signals, further supporting the argument that Hirose effectively teaches only one sensor.

20

With Hirose teaching only one sensor sensitive to one color, the claim 6 limitation of "a plurality of sensors for detecting different colors of ambient light" is not fairly suggested by the cited art.

25 **Summary**

Given the additional arguments above and in view of the previously filed arguments, the appellant maintains that the rejection should be overturned.

30

Sincerely,

5

Date: 4/23/2004

Winston Hsu, Patent Agent No. 41,526

P.O. BOX 506

Merrifield, VA 22116

U.S.A.

10 e-mail : winstonhsu@naipo.com.tw

(Please contact me if you need a telephone communication and I will return your call promptly.)